

**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF GLENN HEIGHTS, TEXAS**

MARCH 3, 2015

STATE OF TEXAS *

COUNTIES OF DALLAS AND ELLIS *

CITY OF GLENN HEIGHTS *

On the 3rd day of March, 2015 the City Council of the City of Glenn Heights met in a regular meeting at the Glenn Heights City Hall in Glenn Heights, Texas located at 1938 S. Hampton Road with the following members present:

CITY COUNCIL:

Leon Tate	*	Mayor
Arleen Layne	*	Council Member
Tony Bradley	*	Council Member
Michael Jones	*	Mayor Pro Tem
Elizabeth Cox	*	Council Member

STAFF:

Trudy Lewis	*	City Manager
Terri L. Miller	*	Interim, City Secretary
Aretha Ferrell-Benavides	*	Deputy City Manager
Phillip Prasifka	*	Chief of Police
Steve Chutchian	*	Director of Public Works
Michael Aguilera	*	Director of Finance
Eddie Burns, Sr.	*	Fire Chief
Kacye Harvey	*	Human Resources Administrator
Connie Hearne	*	Assistant to the City Manager
Jeremy Tennant	*	Senior Planner
Corporal Benson	*	Police Department

CONSULTANTS:

Whitt Wyatt	*	City Attorney's Office
Melodee Armstrong	*	Municipal Court Judge

ABSENT:

Kathy Dixon	*	Council Member
Glenn George	*	Council Member

Mayor Tate called the meeting to order at 7:01 p.m.

INVOCATION: Director of Finance, Michael Aguilera gave the invocation.

Whitt Wyatt arrived at the meeting at 7:08 pm.

PUBLIC COMMENTS: NONE

CONSENT AGENDA: Items listed under the consent agenda, are considered routine and are generally enacted by one motion. There will not be separate discussion on these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

1. Approve resolution R-11-15 in support of the Congressional Medal of Honor for Dorie Miller.

Councilman Bradley made a motion to approve Resolution R-11-15 in support of the Congressional Medal of Honor for Dorie Miller. Councilwoman Layne made the second. The motion carried with the following vote:

VOTE: 5 **Ayes** – Layne, Bradley, Tate, Jones, and Cox

AGENDA

2. Discuss the Mayor's 2015 State of the City and Town Hall Meeting on March 14, 2015 at McCowan Middle School.

Trudy Lewis, City Manager, briefed Council on the plans for the Mayor's State of the City and Town Hall meeting that is in the planning phase.

Mayor Tate discussed the items to be addressed, as well as the format of the event and listed the participants, which are to include:

- State of the City Address
- AT&T
- Hilco
- Atmos
- DART
- Palladium
- TxDOT
- Waste Management

Mayor Tate stated the need to have information presented to the citizens by their elected officials.

Councilwoman Cox asked that PowerPoint presentations for Economic Development forecast and Fiscal forecast be added to the program with Senior Staff participation for additional information.

Councilman Bradley asked that this become an annual event scheduled for the second or third week of March. He also requested that Senior Staff present Water and Sewer information at the current State of the City and Town Hall meeting.

Mayor Tate changed the date to March 21st to allow for more time for preparation of the event. The event is to begin at 10:30 am and end at approximately at 3:00 pm.

3. Discuss and consider Heritage Lakes at Bear Creek Park Fees Funds and Retention Pond mitigation.

Trudy Lewis, the City Manager briefed Council on the reimbursement of neighborhood Park Fees that were not expensed during a ten (10) year period. She also stated that staff is currently working on mailing notification of refunds to those residents who are eligible for the Park Fee refund. The amount of restricted Park Fee funds is \$51,335.00 total throughout the City.

Steve Chutchian, Director of Public Works, briefed Council on the costs and effects of the detention and retention ponds located in the Heritage Lakes subdivision. He also explained the impact of filling in the retention pond versus maintenance of the pond.

Mayor Pro Tem Jones asked who was responsible for the maintenance of the pond and if that issue was covered in writing.

Councilman Bradley questioned what the issue was relating to the pond.

Trudy Lewis, City Manager, addressed Councilman Bradley's question.

4. Discuss the cost and responsibility of Heritage Lakes at Bear Creek detention and retention pond and it's affect on the Heritage Lakes at Bear Creek Homeowners Association. (Requested by Citizen Jacquelyn Stokes)

Mrs. Jacquelyn Stokes of 1508 Royal Gorge, Glenn Heights, Texas introduced Lawrence Stokes, Jr., President of the Heritage Lakes Home Owners Association. Mr. Stokes deferred the presentation to the liaison, Mrs. Stokes. She addressed Council on the detention pond and retention pond, ownership, agreements/contracts and maintenance concerns.

Mrs. Stokes requested this item be deferred until more documentation is available to present to Council.

No Council action was taken.

5. Discuss and consider City policies and procedures regarding sewer line connections to residential properties.

Steve Chutchian, Director of Public Works, briefed Council on the issues concerning a sewer line for 1623 Westmoreland Road, Glenn Heights, Texas. Staff investigated the situation and made a recommendation to follow the City Ordinance regarding wastewater service to the property.

Mayor Pro Tem Jones addressed whether or not this was the first time the City has been asked to assist with the expense of a wastewater hook up.

Steve Chutchian addressed the questions asked by Mayor Pro Tem Jones, and stated that new developments and new home builders are responsible for the costs of impact fees and services. He also stated if the City assisted this time it could set a future precedent.

6. Discuss a request for providing a sewer line connection to a residential home located at 1623 S. Westmoreland Rd. (Requested by Citizen Yolanda Allen)

Ms. Yolanda Allen at 119 Shady Brook Dr., DeSoto Texas owns the property at 1623 S. Westmoreland in Glenn Heights, Texas, addressed Council on an issue with a requested sewer connection at said property. She requested the Council consider giving her free access to the City's sewer system.

Councilwoman Layne asked Ms. Allen if there was any information in the original bill of sale on the property regarding a sewer/septic system.

Councilman Bradley asked if the City has the original building plans.

Trudy Lewis, City Manager, stated that the Planning Department would review the building plans and there were no sewer fees charged at the time the plans were submitted but the water fees were charged.

Councilwoman Cox asked Ms. Allen if at any time she or her husband inquired at City about the requirements regarding sewer issues.

Mayor Tate requested that this item be brought back to Council once the original building plans have been pulled and reviewed. Mayor Tate also spoke to questions regarding legal precedent on this issue.

7. January 2015 Financial Report.

Michael Aguilera, Director of Finance, briefed Council on the January 2015 Financial Report and Bank Reconciliation.

- Sales Tax
- General Fund Expenditures; Audit expense, and street expenses
- Water Sewer Fund
- Drainage
- Other Funds
- Cash Report; Bank pledge collateral (cash flow)
- Overtime Report
- Check Register

9. Discuss termination of the City's current mowing contract and consider taking action on obtaining qualifications from vendors for a new right-of-way and easement mowing and park fertilization contract.

Trudy Lewis, City Manager, briefed Council on the 30 day notification from Metcalfe Grounds Maintenance to terminate the current right-of-way and easement mowing and park fertilization contract.

Steve Chutchian, Director of Public Works, briefed Council on the terms of the current contracts, as well as additional Council requests to add mowing and maintenance areas to the contracts. He discussed the RFP's and stated they were ready for the bidding process.

10. Discuss and consider submitting an application on the Federal Emergency Management Agency (FEMA) for the Staffing of Adequate Fire & Emergency Response (SAFER) Grant.

Eddie Burns, Sr., Fire Chief, briefed Council by PowerPoint presentation on the Fire Department's request to submit an application to FEMA for the SAFER Grant.

Mayor Pro Tem Jones made a motion to approve the submission of an application to the Federal Emergency Management Agency (FEMA) for the Staffing of Adequate Fire & Emergency Response (SAFER) Grant. Councilwoman Cox made the second. The motion carried with the following vote:

VOTE: 5 Ayes – Layne, Bradley, Tate, Jones, and Cox

11. First reading of Ordinance O-01-15 amending the City's personnel policies to adopt a Step Up pay Policy.

Trudy Lewis, City Manager, briefed Council on the language for the Ordinance and the Policy as related to the Step Up Pay and that this is the first reading of the Ordinance as required by law.

Kacye Harvey, Director of Human Resources, briefed Council on the Personnel Policy creating control features, eligibility, Department Standard Operating Procedures and qualifications as related to the Step Up Pay.

Councilman Bradley made a motion to approve the first reading of Ordinance O-01-15 amending the City's Personnel policies to adopt a Step Up Pay policy. Mayor Pro Tem Jones made the second. The motion carried with the following vote:

VOTE: 5 Ayes – Layne, Bradley, Tate, Jones, and Cox

12. Discuss the TXDOT alignment of FM664 and the implications of water and sewer line relocations estimated at a cost of \$1.2 million.

Steve Chutchian, Director of Public Works, briefed Council on the updates on the TXDOT alignment of FM664. Mr. Chutchian stated that TXDOT requires that the affected municipality is responsible for 100% of the utility realignment cost relating to the roadway realignment process.

Mayor Tate directed staff to schedule a workshop with Council.

No Council action was taken.

13. Discuss and consider taking action on the FY 2015-16 Budget Calendar.

Trudy Lewis, City Manager, briefed Council on additional dates added to the calendar relating to prior request by Council.

Mayor Tate requested that a deadline be set for the Bond Committee to present to Council in July of 2015.

No Council action taken.

14. Discuss adopting regulations concerning payday lenders, pawn shops and e-cigarette shops with the City. (Requested by Councilwoman Cox)

Councilwoman Cox requested that an ordinance be drafted to limit the number of cash/pawn stores and e-vapor cigarette stores within the city.

Whitt Wyatt, City Attorney, clarified that through Zoning regulations the city can limit these types of businesses to certain areas of the city and SUP's can be used for control. However, Pawn Shops are regulated State Statues.

Direction was given to schedule a workshop on a future agenda for further discussion.

15. Discuss and consider taking action on the older dump truck with the emissions reduction plan (TERP). (Requested by Councilman George)

Councilman George was not present, this item was skipped.

16. Discuss and consider taking action on marketing signs/banners for the City to better communicate with the citizens and visitors. (Requested by Councilman George)

Councilman George was not present, this item was skipped.

17. Discuss plans for the recent City land purchase adjacent to City Hall. (Requested by Councilwoman Cox)

Councilwoman Cox asked that this item be skipped.

Councilman Bradley asked that this item be brought back to Council as a workshop to discuss the City's needs for facilities, Public Safety building and a Municipal building to include the estimates for costs and funding sources.

18. Discuss and consider a City-wide visioning plan including discussion of past, present and future City operations and development as well as the City's Strategic Plan.

This item was skipped.

19. Discuss an electronic magistrates warnings and warrant system in the Municipal Court Department.

Trudy Lewis, City Manager, briefed Council on the update to the Staff Recommendation, which reflects the request to delay this until the adoption of the 2015-2016 Budget, due to Councils interest in a new Public Safety building.

Melodee Armstrong, Municipal Court Judge, briefed Council on the procedures for issuance of magistrates warning and warrant system through video arraignments.

Councilwoman Cox requested further information to be provided by Judge Armstrong regarding other options.

Mayor Tate made other suggestions for Judge Armstrong to review.

20. Discuss city staff applying for grants for the improvement of the city. (Requested by Mayor Tate)

Mayor Tate requested that Council bring forward any grants that they would like to see pursued.

Councilman Bradley requested that staff pursue equipment and capability grants.

Councilman Bradley made a motion to extend the meeting to 10:15 p.m. to complete official business. Mayor Tate made the second. The motion carried with the following vote:

VOTE: 4 **Ayes** – Bradley, Tate, Jones, and Cox
 1 **Nays**- Layne

8. Workshop: Discuss the adopted tax rate and debt capacity.

Councilman Bradley made a motion to open the workshop. Mayor Pro Tem Jones made the second. The motion carried with the following vote:

VOTE: 4 **Ayes** – Bradley, Tate, Jones, and Cox
 1 **Nays**- Layne

Mayor Tate opened the workshop at 9:48 pm.

Michael Aguilera, Director of Finance, briefed Council on the procedures relating to the tax rate and dept capacity.

Councilman Bradley made a motion to close the workshop. Mayor Tate made the second. The motion carried with the following vote:

VOTE: 5 **Ayes** – Layne, Bradley, Tate, Jones, and Cox

Mayor Tate closed the workshop at 10:12 pm.

Councilman Bradley made a motion to extend the meeting to 10:30 p.m. to complete official business. Councilwoman Cox made the second. The motion carried with the following vote:

VOTE: 4 **Ayes** – Bradley, Tate, Jones, and Cox
 1 **Nays**- Layne

Mayor Pro Tem Jones made a motion to move into Executive Session at 10:13 pm. Councilwoman Cox made the second. The motion carried with the following vote:

VOTE: 4 **Ayes** – Bradley, Tate, Jones, and Cox
 1 **Nays** - Layne

21. EXECUTIVE SESSION and RESULTING ACTION:

The City Council shall convene into executive session pursuant to the Texas Government Code:

- a. Section 551.074(a)(1) to deliberate the appointment, compensation, employment, evaluation, reassignment, and duties of the City Manager.
- b. Reconvene and consider any Official Action as a result of the Executive Session.

Councilman Bradley made a motion to come out of Executive Session. Mayor Tate made the second. The motion carried with the following vote:

VOTE: 5 **Ayes** – Layne, Bradley, Tate, Jones, and Cox

Mayor Pro Tem Jones made a motion extend Executive Session until 10:45 pm. Councilwoman Cox made the second. The motion carried with the following vote:

VOTE: 5 **Ayes** – Layne, Bradley, Tate, Jones, and Cox

Mayor Pro Tem Jones made a motion to move into Executive Session. Councilman Bradley made the second. The motion carried with the following vote:

VOTE: 5 **Ayes** – Layne, Bradley, Tate, Jones, and Cox

Councilman Bradley made a motion to come out of Executive Session. Mayor Tate made the second. The motion carried with the following vote:

VOTE: 5 **Ayes** – Layne, Bradley, Tate, Jones, and Cox

Mayor Tate closed the Executive Session at 10:48 pm.

Councilman Bradley made a motion extend meeting until 10:55 pm. Councilwoman Layne made the second. The motion carried with the following vote:

VOTE: 5 Ayes – Layne, Bradley, Tate, Jones, and Cox

Mayor Tate called the meeting back to order at 10:49 pm.

Mayor Pro Tem Jones made a motion to accept the City Manager, Trudy Lewis' resignation effective March 31, 2015. Councilwoman Cox made the second. The motion carried with the following vote:

VOTE: 5 Ayes – Layne, Bradley, Tate, Jones, and Cox

Mayor Tate made a motion to keep the City Manager position open. Councilwoman Layne made the second. The motion carried with the following vote:

VOTE: 5 Ayes – Layne, Bradley, Tate, Jones, and Cox

Mayor Tate made a motion to place an item on the next Agenda to appoint the Deputy City Manager as the Interim City Manager. Mayor Pro Tem Jones made the second. The motion carried with the following vote:

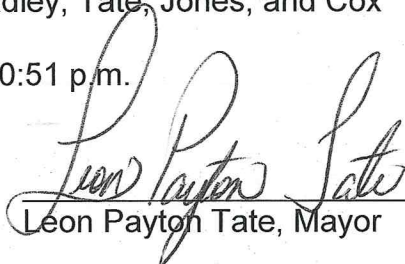
VOTE: 5 Ayes – Layne, Bradley, Tate, Jones, and Cox

ADJOURNMENT

Mayor Pro Tem Jones made a motion to adjourn. Councilwoman Cox made the second. The motion carried with the following vote:

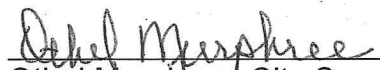
VOTE: 5 Ayes – Layne, Bradley, Tate, Jones, and Cox

Mayor Tate adjourned the meeting at 10:51 p.m.



Leon Payton Tate, Mayor

Attest:



Othel Murphree, City Secretary

Passed and Approved the 7th day of April, 2015.